

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
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CIVIL ACTION NO.05-10842WGY

GERTRUDE GOROD, Plaintiff

vs.

MASSACHUSETTS GENERAL HOSPITAL
DR. WILLIAM BINDER
JAMES W. MCCARTHY
ERIK NORENIKA
SUSAN WARCHAL
DIPLOMAT
CARUSO MUSIC
LAWRENCE CARUSO, Defendants

PLAINTIFF'S MOTION IN OPPOSITION TO DEFENDANTS MOTION
TO DISMISS

Now comes the plaintiff, Gertrude Gorod in the above-cited action and opposes defendants motion.

- 1.) Defendants Motion is done in bad faith with actual intent to deceive and fraud the court.
- 2.) Defendants do not deny the fact, that plaintiff was given two hundred and five x-rays against her will and other issues.
- 3.) Plaintiff's action is filed under the jurisdiction of the United States District Court Case No. 05-10842WGY.

SEE: PLAINTIFF'S EXHIBIT "A" AFFIXED HERETO:

- 4.) Massachusetts General Laws are not applicable to this Action.
- 5.) This action effects the public interest.

- 6.) Defendants do not deny the fact that they wilfully and deliberately abused the plaintiff, leaving her with permanent scars and bruises on her body SEE PLAINTIFF'S EXHIBIT "A" AFFIXED HERETO: LEAVING THE PLAINTIFF UNABLE TO WORK MAKING THE PLAINTIFF A PAUPER.

MEMORANDUM IN SUPPORT THEREOF:

Defendants motion is done in bad faith to deceive and fraud the court. Complaint is filed in the United States District Court for District of Massachusetts Case No. 0510842 WGY, not in the Suffolk Superior Court, therefore, the action comes under the jurisdiction of the United States District Court of Massachusetts, therefore, the United States District Court of Massachusetts has precedent over this action not the Massachusetts Courts. In addition the issues in the plaintiff's action deals with federal issues.

The defendants' attorney is well aware that their motion was wrong and they were acting in bad faith as they did not contact the plaintiff before they filed their fraudulent motion. Plaintiff's action filed in the United States District Court (SEE: PLAINTIFF'S EXHIBIT "A" AFFIXED HERETO:).

Massachusetts General laws are not applicable to this action.

JURISDICTION IN THIS ACTION IS UNDER 28 U.S.C. § 1331 et seq.

Defendants do not deny that they gave plaintiff **TWO HUNDRED AND FIVE EX-RAYS AGAINST HER WILL, PLACED RESTRAINS ON HER WRISTS AND ANKLES CAUSING BLEEDING, AND PLAINTIFF WAS HELD**

AS A PRISONER. The defendants ruined the plaintiff's life leaving her with continuing pain and unable to work making a pauper. (SEE PLAINTIFF'S EXHIBIT "A" ATTACHED HERETO:).

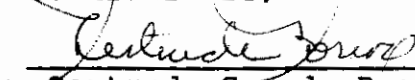
PUBLIC INTEREST

The Public Interest is involved in this action. The public should not be subjected to the malicious treatment when they enter a hospital. The hospital has no right to have in their employ individuals that treat patients with malice, and have patients unable to work for the rest of their lives, and hold people as prisoners. THIS TREATMENT OF PEOPLE MUST BE STOPPED IMMEDIATELY. Sanctions against defendants and their attorney.

Wherefore, based on the foregoing facts and evidence the plaintiff requests the honorable court to grant her motion and have her action go to trial as soon as possible.

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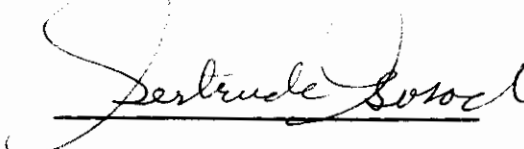
SUBMITTED BY,


Gertrude Gorod, Pro Se
P.O. BOX 490856
Everett, Ma 02149

CERTIFICATE OF SERVICE

I, Gertrude Gorod, certify that I mailed a true copy of the Plaintiff's Motion In Opposition To Defendants Motion To Dismiss and Memorandum In Support Thereof: To Curtis R. Diedrich C/O Sloane and Walsh Three Center Plaza Boston, Ma 02108 postage prepaid.

DATE 1/11/06



**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO.

GERTRUDE GOROD, Plaintiff

05-10842 WGY

vs.

MASSACHUSETTS GENERAL HOSPITAL
DR. WILLIAM BINDER
JAMES W. McCARTHY
ERIK NORENIKA
SUSAN WARCHAL
DIPLOMAT
CARUSO MUSIC
LAWRENCE CARUSO, Defendants

COMPLAINT

Parties

- 1.) The plaintiff, Gertrude Gorod is a resident of the Commonwealth of Massachusetts and is a citizen of the United States of America.
- 2.) The defendant, Massachusetts General Hospital is located at 55 Fruit Street Boston, Massachusetts 02114.
- 3.) The defendant, Dr. William Binder is employed at the Massachusetts General Hospital in the Emergency Medicine. It is unknown to the plaintiff if the defendant is a citizen of the United States of America.
- 4.) The defendant, James W. McCarthy is employed at the Massachusetts General Hospital. It is unknown to the plaintiff if the defendant is a citizen of the United States of America.

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Plaintiff's Exhibit "A"

- 5.) The defendant, Erik Norenika is employed at the Massachusetts General Hospital. It is unknown to the plaintiff, if the defendant is a citizen of the United States of America.
- 6.) The defendant, Susan Warchal is employed as a nurse in the Massachusetts General Hospital. It is unknown to the plaintiff if the defendant is a citizen of the United States of America.
- 7.) The defendant, Diplomat is located at 334 Broadway in Saugus Massachusetts 01906.
- 8.) The defendant, Caruso Music is located at 579 Muntauk Avenue in New London, Connecticut 06320.
- 9.) The defendant, Lawrence Caruso is located at 579 Muntauk Avenue New London, Connecticut 06320. It is unknown to the plaintiff if the defendant is a citizen of the United States of America.

Jurisdiction

- 10.) This court has jurisdiction over this matter. Plaintiff's United States Constitutional Rights were violated, plaintiff's Civil Rights were violated. Plaintiff is a senior and she was abused leaving permanent scars and bruises on her body, also jurisdiction over this matter pursuant to 28 U.S.C. § 1331 et seq.

CAUSE OF ACTION

- 11.) April 28. 2002, the plaintiff, Gorod went to the Diplomat, when she entered the entrance the marble floor was wet and due to the negligence of the defendant, Gorod fell severely injuring her back and head.
- 12.) Gorod was immediately taken by ambulance to the Massachusetts General Hospital where she was abused and received two hundred and five x-rays, in spite of the fact, that she did not want any x-rays until she had consulted with her own physician.
- 13.) Defendant, Susan Warchal pulled up Gorod's clothes exposing her breasts and displaying them to defendants, James W. McCarthy and Erik Norenika then they went into fits of laughter.
- 14.) Defendant, Dr. William Binder ordered that the plaintiff's head, be bent down which was giving the plaintiff, Gorod severe pain in her head and causing her blood pressure to go high up, also gave medication that had increased the blood pressure higher. Gorod said **"I WANT TO LEAVE THIS HOSPITAL IMMEDIATELY"**. Dr. Binder ordered individuals out and said "he was going to order Gorod into a mental institution".
- 15.) Defendant, Dr. Binder ordered that Gorod's ankles and wrists be restrained causing bleeding on the plaintiff's wrists and ankles leaving permanent bruising on ankles. Forcefully holding the plaintiff Gorod against her will causing her severe body harm and suffering.
- 16.) Gorod could not go to a bathroom because of her wrists and ankles were locked in medal buckles and although she informed defendants she had to go to the bathroom, she was completely

ignored, after hours of being ignored, she again informed defendant Dr. Binder that she wanted to leave the hospital immediately or she would be forced to wet the bed. Dr. Binder held the plaintiff as a prisoner and would not let her leave the hospital.

PUBLIC INTEREST

- 17.) The Public Interest is involved in this action. The public should not be subjected to the malicious treatment when they enter a hospital. The hospital has no right to have in their employ individuals that treat patients with malice, and have their patients unable to work for the rest of their lives, and hold people as prisoners.

RELIEF FROM THE COURT

- 18.) **WHEREFORE**, the plaintiff requests the honorable court to grant her the following relief:
- 19.) Massachusetts General Hospital Damages, Pain and Suffering and Mental Distress, and held as a prisoner, in the sum of \$4,000,000.00, and the sum of \$4,000,000.00 in Punitive Damages
- 20.) Dr. William Binder Damages, Pain and Suffering and Mental Distress, and held as a prisoner, in the sum of \$10,000,000.00 and the sum of \$10,000,000.00 in Punitive Damages.
- 21.) James W. McCarthy Damages, Pain and Suffering and Mental Distress in the sum of \$4,000,000.00 and the sum of \$4,000,000.00 in Punitive Damages.